IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF GEORGIA GAINESVILLE DIVISION

UNITED STATES OF AMERICA,

:

V.

CRIMINAL ACTION NO.

LOUIS MIGUEL TOVAR : 2:13-CR-00035-RWS

RODRIGUEZ,

:

Defendant.

<u>ORDER</u>

This case is before the Court for consideration of the Report and Recommendation [53] of Magistrate Judge J. Clay Fuller. The Report and Recommendation finds the Defendant's plea of guilty to have been knowingly and voluntarily made and finds that the charge to which the plea is entered is supported by an independent basis in fact establishing each of the essential elements of the offense. Judge Fuller recommends that the plea be accepted and the Defendant be adjudged guilty and sentence imposed accordingly. There has been no objection made to the Report and Recommendation.

Pursuant to Rule 11, Federal Rules of Criminal Procedure, the Report and Recommendation is hereby adopted and made the Order of this Court. The plea

of guilty of the Defendant to Count Three of the Indictment is hereby accepted, and the Defendant is hereby adjudged guilty of said offense. The Clerk shall schedule the matter for sentencing. The Clerk is directed to serve a copy of this Order upon the Defendant, the Defendant's attorney, the United States Attorney, the United States Probation Office, and the United States Marshal.

SO ORDERED this <u>14th</u> day of February, 2014.

RICHARD W. STORY

UNITED STATES DISTRICT JUDGE